

**BOROUGH OF WESTWOOD
NOTICE**

NOTICE IS HEREBY GIVEN that the following Ordinance was introduced and passed on first reading on regular meeting of the Mayor and Council on the _____ day of _____, 2016, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the _____ day of _____, 2016 at 8:00 p.m. or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Karen Hughes, Borough Clerk
Borough of Westwood

**Ordinance #16-19
An Ordinance to Amend Chapter 237 Parking Lots, Municipal**

BE IT ORDAINED by the Mayor and Council of the Borough of Westwood that Chapter 237 Parking Lots, Municipal, be amended as follows (deleted sections are noted by strikethroughs, new sections are **bold and underlined**):

Section 1. Amend Chapter 237, Parking Lots, Municipal:

**Article I
Designation of Lots; Restrictions**

§ 237-1 Designation of municipal parking lots.

The following tracts and parcels of land owned, leased, used by easement or licensed by the Borough of Westwood situate, lying and being in the Borough of Westwood, County of Bergen, and State of New Jersey, hereinafter particularly described, be and the same are hereby dedicated as municipal parking lots:

- A. The area situated on the west side of Center Avenue between Westwood Avenue and the terminus of Bergen Street, known and designated as Lots 20 and 21 in Block 907 on the current Official Assessment Map of the Borough of Westwood (Lot 21 is leased for use by the Borough. The lease agreement is kept on file with the Borough Clerk.), henceforth referred to as "Lot A" for the purposes of this article.
- B. The area situated on the west side of Center Avenue between Irvington Street and Westwood Avenue, known and designated as Lot 19 and the eastern portion of Lot 8, used by easement, in Block 807, on the current Official Assessment Map of the Borough of Westwood, henceforth referred to as "Lot B" for the purposes of this article.
- C. The area situated on the west side of Fairview Avenue between Westwood Avenue and Bergen Street, known and designated as Lot 17 in Block 908 on the current Official Assessment Map of the Borough of Westwood, henceforth referred to as "Lot C" for the purposes of this article.
- D. The area situated on the south side of Washington Avenue and bounded by Fourth Avenue, Park Avenue and St. Nicholas Avenue, more particularly known as Lot 2 in Block 903 on the current Official Assessment Map of the Borough of Westwood, henceforth referred to as the "Westwood Municipal Complex." For the purposes of this article, the parking facilities in the Municipal Complex shall be referred to as follows: [Amended 1-18-2011 by Ord. No. 11-04]
 - (1) Metered Lot 1: shall refer to that portion of the Municipal Complex east of the Municipal Building structure and north of Becker Lane.
 - (2) Metered Lot 2: shall refer to that portion of the Municipal Complex south of Becker Lane and east of the Municipal Building structure and running opposite of Metered Lot 1, at the southeast

corner of the site.

- (3) Park Avenue Lot: shall refer to that portion of the Municipal Complex south of Becker Lane, situated directly behind or south of the Municipal Building structure and connecting between Becker Lane and Park Avenue, for use by visitors, employees and officials.
- (4) Police/Employee Lot: shall refer to that portion of the Municipal Complex at the end of Becker Lane and west of the Municipal Building structure.
- E. The area situated on the south side of Jefferson Avenue between Fairview Avenue and the terminus of Center Avenue on the west side of the Community Center building, known and designated as Lot 12 in Block 1503 on the current Official Assessment Map of the Borough of Westwood, henceforth referred to as "Lot E" for the purposes of this article.
- F. The area situated at the northeast corner of the intersection of Jefferson Avenue and Center Avenue on the south side of the Fire Department building, known and designated as part of Lot 1 in Block 909 on the current Official Assessment Map of the Borough of Westwood, henceforth referred to as "Lot F" for the purposes of this article.
- G. The area situated on the south side of Park Avenue between Second Avenue and Third Avenue on the east side of the Westwood Library building, known and designated as Lot 4 in Block 911 on the current Official Assessment Map of the Borough of Westwood, henceforth referred to as "Lot G" for the purposes of this article.
- H. The area called "The Center Square," 301 Center Avenue, situated on the east side of Center Avenue between Irvington Street and Westwood Avenue, known and designated as Lot 3 in Block 808 on the current Official Assessment Map of the Borough of Westwood, henceforth referred to as "Lot H" for the purposes of this article. A parking meter licensing agreement exists for this property and is kept on file by the Borough Clerk.

§ 237-2 Definitions.

As used in this article, the following terms shall have the meanings indicated:

COMMERCIAL TRAFFIC

The entry into any municipal parking lot by a motor vehicle which displays, or by law is required to display, commercial license plates for the purpose of receiving or delivering merchandise intended for resale to others.

§ 237-3 Restrictions on commercial traffic; exceptions.

- A. Except between the hours of 7:00 a.m. and 10:00 a.m., no commercial traffic, as defined in § 237-2, shall be permitted in the municipal parking lots of the Borough of Westwood wherein parking meters are provided. Commercial traffic occurring between the hours of 7:00 a.m. and 10:00 a.m. shall comply with any other applicable ordinance or statute.
- B. This section does not apply to the United States Postal Service or private enterprises providing similar services.

~~C. It shall be unlawful to park a vehicle in Lot A (Center Ave South) between 7:00 a.m. and 8:30 a.m.~~

~~[Added 12-15-2015 by Ord. No. 15-27]~~

§ 237-4 Violations and penalties.

Unless another penalty is expressly provided by New Jersey statute, every person convicted of a

violation of this article shall be liable to a penalty of not more than \$250 or imprisonment for a term not exceeding 90 days, or both.

Article II

Westwood Municipal Complex

[Adopted 6-11-1996 by Ord. No. 96-7]

§ 237-5 Purpose.

This article shall regulate parking at the Westwood Municipal Complex, 101 Washington Avenue, more particularly known as Lot 2, Block 903, and being those lands owned by the Borough of Westwood and bounded by Washington Avenue, St. Nicholas Avenue, Park Avenue and Fourth Avenue.

§ 237-6 Identification of parking facilities.

For purposes of this article, the parking facilities in the Municipal Complex shall be referred to as follows:

- A. Becker Lane: shall refer to the driveway that bisects the lot in a generally east/west direction running from Fourth Avenue into the Police/Employee Lot at the west end of the Municipal Building structure. [Amended 1-18-2011 by Ord. No. 11-04]
- B. Metered Lot 1: shall refer to that portion of the site north of Becker Lane and east of the Municipal Building structure.
- C. Metered Lot 2: shall refer to that portion of the site south of Becker Lane and east of the Municipal Building structure and running opposite of Metered Lot 1.
- D. Park Avenue: shall refer to that portion of the site south of Becker Lane, situated directly behind or south of the Municipal Building structure and connecting between Becker Lane and Park Avenue, for use by visitors, employees and officials. [Amended 1-18-2011 by Ord. No. 11-04]
- E. Police/Employee Lot: shall refer to that portion of the premises at the end of Becker Lane and west of the Municipal Building structure. [Amended 1-18-2011 by Ord. No. 11-04]

§ 237-7 Definitions.

For the purposes of this article, the following definitions shall apply:

BOROUGH EMPLOYEES

Any person who is employed by the Borough of Westwood and present at the premises in furtherance of their employment. This term shall also refer to elected officials, appointed officials and volunteers holding an office or position established by New Jersey statute or ordinance, provided such persons are present at the Borough Hall in furtherance of the duties of their office or position.

DESIGNATED OFFICIAL

Any person permitted to park in those portions of the Park Avenue Lot designated for "Official Parking Only," including and limited to the following persons:

A. ELECTED OFFICIALS

A member of a board present for official business of said board; the Borough Administrator; a state, federal or county official visiting the Borough of Westwood on official business; a Borough employee whose office is not located at 101 Washington Avenue and who is present at

the Municipal Complex on official business; and the CFO, Tax Assessor, and Zoning Officer of the Borough of Westwood.

HANDICAPPED PARKING

A parking space designated in accordance with N.J.S.A. 39:4-197.5 for vehicles bearing valid handicapped parking credentials.

[Amended 1-18-2011 by Ord. No. 11-04]

METERED PARKING SPACE

Any parking space located in Metered Lot 1 or Metered Lot 2 other than those spaces in Metered Lot 1 designated as "Visitor Parking" spaces abutting the westerly wall of the Municipal Complex and serviced by parking meters.

VISITORS

Any person present upon the premises for the purpose of transacting business or otherwise interacting with any department or agency of the Borough of Westwood located within the Municipal Building at 101 Washington Avenue. Said visitor's status shall only exist for so long as said person is actually present at the Municipal Complex.

§ 237-8 Prohibited parking.

It shall be unlawful to park a motor vehicle on any portion of the Municipal Complex parking lot as herein described except in conformance with this article. More specifically, parking a motor vehicle in the following manner is unlawful:

- A. It shall be unlawful to park a vehicle at any time upon Becker Lane.
- B. It shall be unlawful to park a vehicle except within the confines of a duly lined and designated parking space by any person within any of the lots herein described. In particular, it shall be unlawful to park within any aisleway serving any parking lot.
- C. No person shall park within a metered parking space for longer than the maximum permitted parking time period for said space as same is posted on the parking meter serving said space. In addition, it shall be unlawful to park a vehicle in any metered parking space where the time on the meter shall be expired.
- D. No person shall park a motor vehicle in Metered Lot 1, Metered Lot 2 or the Park Avenue Lot after 1:00 a.m. [Amended 1-18-2011 by Ord. No. 11-04]
- E. No person other than the designated Borough officials herein described shall park in any parking space posted with a sign for "Official Parking Only."
- F. No person shall park a motor vehicle in the Park Avenue Lot between the hours of ~~12:30~~ **1:00** a.m. and 8:00 a.m., Monday through Sunday.
- G. No person other than Borough employees shall park in the Police/Employee Lot at any time. Borough employees parking in the Police/Employee Lot shall park only in accordance with regulations affecting the use of said lot as posted.
- H. No person shall park in Metered Lot 1 or Metered Lot 2 between the hours of 1:00 a.m. and 6:00 a.m., Monday through Sunday.

- I. No person shall park a vehicle greater than seven feet in width or 20 feet in length at any location in the Municipal Complex.

§ 237-9 Hours of operation and rates for metered parking.

Hours of operation and rates for metered parking spaces shall be as follows:

- A. Metered Lot 1: Hours of operation for parking meters shall be between the hours of 6:00 a.m. and ~~6:00~~ **9:00** p.m., Monday through ~~Saturday~~ **Friday**. The maximum permitted duration of parking shall be ~~42~~ **15** hours, and the meters shall be set, posted and calibrated at the rate of ~~\$0.25 every two hours~~ **\$3.00 per day or part thereof**.
- B. Metered Lot 2: Hours of operation for parking meters shall be between the hours of 6:00 a.m. and ~~6:00~~ **9:00** p.m., Monday through ~~Saturday~~ **Friday**. The maximum permitted duration of parking shall be ~~42~~ **15** hours, and the meters shall be set, posted and calibrated at the rate of ~~\$0.25 every two hours~~ **\$3.00 per day or part thereof**.

§ 237-10 Violations and penalties.

For a violation of this article, the fines shall be as follows:

- A. Parking in Becker Lane or an aisleway: \$25.
- B. Parking at an expired meter in Metered Lot 1 or Metered Lot 2: \$17. [Amended 1-18-2011 by Ord. No. 11-04]
- C. For improper use of visitor parking, official parking or employee parking: \$25.
- D. For unlawful parking in handicapped spaces: \$250. [Amended 1-18-2011 by Ord. No. 11-04]
- E. For other violation of this article: \$25.

Section 2. If any section, subsection, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

Section 3. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. If any section, subsection, part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

Section 5. This Ordinance shall take effect immediately upon final passage and publication as required by law.

Adopted: _____

Approved:

Attest:

John Birkner, Jr., Mayor

Karen Hughes, Borough Clerk